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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 LINDA SAYEGH,

Case No. 2:18-cv-00377-RFB-PAL

8 Plaintiff,

ORDER

9 v.

10 OUTBACK STEAKHOUSE OF FLORIDA,
11 LLC,

Defendant.

12 Before the court is the parties' Proposed Joint Discovery Plan and Scheduling Order (ECF
13 No. 18). The parties request 360 days from the Fed. R. Civ. P. 26(f) conference to complete
14 discovery, or twice the amount of time deemed presumptively reasonable by LR 26-1. The
15 proposed plan does not comply with LR 26-1(a) which requires parties seeking longer deadlines
16 to include on the face of the proposed plan "SPECIAL SCHEDULNG REVIEW REQUESTED,"
17 nor does it specify why longer or different time periods should apply to this case. The parties'
18 proposed plan is therefore denied for failure to comply with LR 26-1(a), and the court will enter a
19 standard discovery plan and scheduling order in accordance with the provisions of 26-1(b).

20 Additionally, a review of the docket reflects that defendant has still not complied with 28
21 U.S.C. Section 1446, and the direction received by the Clerk of Court in a Notice of Non-
22 Compliance (ECF No 2) to comply by filing the Complaint and Summons initially filed in state
23 court as an Errata in compliance with LR IC 2-2. 28:1446 requires defendant removing a case
24 from state to federal court to file a petition containing a short plain statement of the grounds for
25 removal "together with a copy of all process, pleadings, and orders served upon such defendant or
26 defendants in such action." Although defendant filed its answer (ECF No 4) on March 8, 2018 it
27 has still not complied with the removal statute and the court's direction. As a result, no complaint
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1 is on file, and the court has no information about process, pleadings and any orders entered in state
2 court prior to removal.

3 Accordingly,

4 **IT IS ORDERED** that:

- 5 1. The parties' Proposed Joint Discovery Plan and Scheduling Order (ECF No. 18) is
6 **DENIED** for failure to comply with LR 26-1(a), and the following discovery plan and
7 scheduling order deadlines shall apply:
- 8 a. Last date to complete discovery: **September 5, 2018**
 - 9 b. Last date to amend pleadings and add parties: **June 6, 2018**
 - 10 c. Last date to file interim status report: **July 6, 2018**
 - 11 d. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): **July 6, 2018**
 - 12 e. Last date to disclose rebuttal experts: **August 6, 2018**
 - 13 f. Last date to file dispositive motions: **October 5, 2018**
 - 14 g. Last date to file joint pretrial order: **November 5, 2018**. In the event dispositive
15 motions are filed, the date for filing the joint pretrial order shall be suspended until 30
16 days after a decision of the dispositive motions.
- 17 2. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall
18 be included in the pretrial order.
- 19 3. Applications to extend any dates set by this discovery plan and scheduling order shall,
20 in addition to satisfying the requirements of LR 6-1, be supported by a showing of good
21 cause for the extension. All motions or stipulations to extend discovery shall be
22 received no later than **August 15, 2018**, and shall fully comply with the requirements
23 of LR 26-4.

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1 **IT IS FURTHER ORDERED** that defendant shall have until **June 6, 2018** to comply
2 with the requirements of 28 U.S.C. Section 1446 and the court's direction (ECF No. 2) following
3 the court's electronic case filing rules. Failure to timely comply may result in the imposition of
4 sanctions

5 DATED this 24th day of May, 2018.

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8 PEGGY A. LEEN
9 UNITED STATES MAGISTRATE JUDGE
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